

REMARKS

Claims 1-28 pending in the application. No claims have been amended and no new matter has been introduced by this Response. Accordingly, entry and favorable consideration are respectfully requested.

I. Response To Rejections

Claims 1-4, 8-11, 15-18 and 22-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dixon (U.S. Patent No. 6,023,242, hereafter "*Dixon*") in view of Adiwoso et al. (U.S. Patent No. 5,963,862, hereafter "*Adiwoso*"). Claims 5, 12, 19 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Dixon* in view of *Adiwoso* and further in view of Haugli et al. (U.S. Patent No. 6,522,638, hereafter "*Haugli*"). Claims 6-7, 13-14, 20-21 and 27-28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Dixon* in view of *Adiwoso* and further in view of Pond (U.S. Patent No. 5,860,056, hereafter "*Pond*"). The Applicants respectfully traverse the above rejections for the following reasons.

The present invention is directed to system, method and computer-readable medium implemented for the auto-commissioning of a user terminal, which enables the exchange of data traffic over a two-way satellite communication system. In particular, a user of the terminal is instructed to point an antenna toward a beacon satellite using a predefined pointing value based on location information associated with the antenna. During the auto-commissioning process, the beacon satellite serves as a temporary default satellite and is used for establishing a temporary channel to a hub. After receiving network configuration parameters and antenna pointing parameters from the hub, the user is instructed to re-point the antenna so that the user terminal can be configured according to the received parameters. The auto-commissioning process is necessary to prepare the system to be operational. The present invention allows a user to commission a terminal for two-way communication without requiring a phone line or without access to the Internet.

In the Office Action, the Examiner alleges that *Dixon*, *Adiwoso*, *Haugli* and *Pond* teach or suggest all the features of the present invention. However, the Applicants disagree with the Examiner conclusions, particularly with respect to the interpretation of *Dixon* and *Adiwoso*. The Examiner relies on *Dixon* and *Adiwoso* as the primary references for rendering obvious all the elements recited in independent claims 1, 8, 15 and 22. However, after a detailed review of

Dixon and *Adiwoso*, the Applicants suggest, instead, that the §103 rejections are improper and should be withdrawn.

In order to maintain a *prima facie* case of obviousness under 35 U.S.C. §103, the Examiner must satisfy the following criteria:

- 1) a suggestion or motivation, either in the cited references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine their teachings to arrive at the invention;
- 2) a reasonable expectation of success at arriving at the invention, if the combination of the cited references is made; and
- 3) a teaching of suggestion of all the recited claim limitations in the combination of the cited references.

Based on a detailed review of the two references, the Applicants maintain that the Examiner has not sufficiently proven at least two criteria noted above i.e., 1) proper motivation in the cited references themselves to make the suggested combination, and 3) all the recited limitations taught or suggested in the combination of the cited references.

Specifically, nothing in *Adiwoso* provides a suggestion or motivation to combine its teachings with or to modify the teachings of *Dixon* to include the recited re-pointing of antenna, the recited use of a beacon satellite as a temporary default satellite, or the recited use of a beacon satellite to establish a temporary channel for receiving system parameters used for configuring a user terminal.

Moreover, *Dixon* and *Adiwoso*, individually or in combination, fail to teach or suggest the recited re-pointing of an antenna, the recited use of a beacon satellite as a temporary default satellite, and the recited use of the beacon satellite to establish a temporary channel for receiving system parameters used for configuring a user terminal. All the above features are recited in independent claims 1, 8, 15 and 22, and support for these claim features can be found, for example, in the detailed description of Figs. 8 & 9.

A. *Dixon*

Dixon teaches or suggests an earth station having an antenna that is configured to establish communication with a satellite. The earth station stores a table of satellite position data and uses the data to calculate the position of a satellite in relation to its position. Once a satellite

is selected for communication, azimuth and elevation data is obtained so that a direction can be determined in which to configure the antenna for communication with the satellite. To that end, *Dixon* appears to fall short of the present invention for at least the following reasons.

First, *Dixon* teaches or suggests pointing the antenna only once when preparing the system for operation. This is confirmed by the Examiner on page 3 of the Office Action. In the Office Action, the Examiner appears to rely on the same section for teaching or suggesting the claimed pointing and re-pointing of the antenna (i.e., col. 2, lines 21-35). The Applicants respectfully submit that this interpretation of *Dixon* is improper given that the claimed pointing and re-pointing of the antenna are distinct and separate features of the present invention. More specifically, a user is instructed to point the antenna initially for establishing the temporary connection to a hub and then is instructed to re-point the antenna after the configuration parameters are received from the hub.

Second, *Dixon* is silent with regard to using a beacon satellite as a temporary default satellite, and establishing a temporary channel using the beacon satellite to a hub during commissioning. This again is confirmed by the Examiner on page 3 of the Office Action where the Examiner states “*Dixon* does not explicitly disclose that the channel established between the satellite and the gateway is a temporary channel.”

B. *Adisowo*

Adisowo teaches or suggests an integrated telecommunications system that provides fixed and mobile satellite-based services for cellular telephones and home terminals in a geographical area. In the Office Action, the Examiner relies on col. 4, lines 27-31 and col. 9, lines 21-45 of *Adisowo* for at least teaching or suggesting the claimed “temporary channel” of the present invention. In particular, the Examiner relies on the disclosure of satellite transponders that provide uplinks and downlinks to a user terminal for rendering obvious the claimed “temporary channel.”

However, after a detailed review of *Adisowo*, the reference appears to be silent with regard to several claimed features of the present invention: 1) use of “a temporary default satellite,” 2) use of “a temporary channel, and 3) “antenna pointing” as well as receipt of “antenna pointing parameters.” In *Adiwoso*, a network control center controls bandwidth (i.e., transponders) and power of the satellites to establish access links to users terminals. The benefit

of partitioning bandwidth and power of the satellites is that it enables a user to directly connect to user links regardless of user location or location of telecommunication infrastructure (see col. 6, lines 53-57). In other words, the direction of an antenna associated with a terminal is not important with regard to establishing communication links between a satellite system and a terminal. Accordingly, there would be no need for *Adiwoso* to teach or suggest the use of “a temporary default satellite,” “a temporary channel,” “antenna pointing” or “antenna pointing parameters” at least as they relate to the auto-commissioning of a terminal for two-way communication in a satellite communication system.

Accordingly, there appears to be no suggestion or motivation, in either *Dixon* or *Adiwoso*, sufficient to enable one of ordinary skill in the art to modify or combine their teachings to arrive at the present invention, as recited in claims 1, 8, 15 and 22. Moreover, even if *Dixon* and *Adiwoso* were combined, the combination still would not teach or suggest all the features recited in claim 1, 8, 15 and 22.

C. *Haugli and Pond*

Haugli and Pond do not appear to overcome the deficiencies noted above in *Dixon* and *Adiwoso*. Therefore, if one of ordinary skill in the art were to combine the teachings of *Dixon*, *Adiwoso*, *Haugli* and *Pond*, the combination still would not teach or suggest all the features recited in independent claims 1, 8, 15 and 22.

Based on the foregoing, independent claims 1, 8, 15 and 22 are clearly distinguishable over *Dixon*, *Adiwoso*, *Haugli* and *Pond*, individually or in combination. Dependent claims 2-7, 9-14, 16-21 and 23-28 are also clearly distinguishable over *Dixon*, *Adiwoso*, *Haugli* and *Pond*, individually or in combination, based on their respective dependencies on independent claims 1, 8, 15 and 22.


II. Request For Examiner Interview

If the above arguments for overcoming the §103 rejections are not sufficient to place the application in condition for allowance, the Applicants herein request an interview between the Examiner and the Applicant’s representative to expedite prosecution of the application. Please indicate the status of the request for an interview in the next Office correspondence.

III. Conclusion

The Applicants respectfully submit that claims 1-28 of the present application are in condition for allowance. Accordingly, the Applicants respectfully request that the rejections under 35 U.S.C. §103 be withdrawn and a timely Notice of Allowance be issued in this case. If any fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket number (115426-529) on the account statement.

Respectfully submitted,

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